



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

May 8, 2014

Mr. Peter Bullock
U.S. Army Corps of Engineers
Chicago District, Regulatory Branch
231 South LaSalle Street, Suite 1500
Chicago, Illinois 60604-1437

Re: Draft Environmental Assessment – Jackson Park Ecosystem Restoration; Chicago, IL

Dear Mr. Bullock:

The Illinois Department of Natural Resources (Department) has reviewed the Draft Environmental Assessment (Draft EA) for the above mentioned project. Major components of the project include the removal of non-native invasive fish species and restoration of native fish and amphibian species within the park lagoons. Non-native invasive plants will also be removed followed by the planting of native plant species.

State Threatened and Endangered Species

The Illinois Natural Heritage Database (INHD) indicates the state-threatened peregrine falcon (*Falco peregrinus*) may occur within Jackson Park. The Department has no records of this species nesting within the park and concurs with your assessment on page 59 of the Draft EA that impacts to the peregrine falcon are unlikely.

The INHD also contains a record from 1908 of the state-threatened mudpuppy (*Necturus maculosus*) occurring in Jackson Park. This collection is reportedly by the Illinois Natural History Survey. The Department commends your efforts to include mudpuppy habitat in the restoration project in anticipation they will reestablish a population in Jackson Park. The Department also commends your efforts to include several state-threatened fishes in the restoration project. Those species are the blackchin shiner (*Notropis heterodon*), banded killifish (*Fundulus diaphanous*), and Iowa darter (*Etheostoma exile*).

It should be noted that certain permits will likely be required to capture, relocate, and later survey the reintroduction success of state listed species to maintain compliance under the *Illinois Endangered Species Protection Act* [520 ILCS 10/11]. Many non-listed fish and mussel species, and the amphibian eastern newt (*Notophthalmus viridescens*) are also proposed for stocking, which may require certain permits from the Department. Please contact the Department's Office of Resource Conservation and Fisheries Division in advance to obtain the proper permits for these actions.

Migratory Birds

Jackson Park is well known for hosting hundreds of migratory bird species during migration and for breeding. The Department understands that measures are being taken to mitigate potential impacts to migratory birds during the restoration process. These include leaving approximately 90% of overhanging trees, deadfall, and limiting canopy removal along with planting thousands of native plants. Native

minnows and shiners will also be stocked immediately after the removal of non-native invasive fish species to provide forage for water birds. Recent conversations with the U.S. Army Corps and Fish and Wildlife Service have also indicated a tree clearing restriction will be accommodated from March 1st through October 1st to protect the time of greatest migration. Further, surveys will be conducted for early nesting owls and raptors if tree clearing is required between February 1st and March 1st and trees identified containing active nests will be avoided. The Department concurs with these mitigation measures to protect the migratory birds.

Thank you for the opportunity to comment, please contact me at 217-524-0501 if I can be of further assistance.

Sincerely



Nathan Grider
Biologist
Impact Assessment, OREP

cc: Shawn Cirton, USFWS
Kenneth Westlake, USEPA
William Tillis, Chicago Park District
Anne Haaker, Illinois Historic preservation Agency
Diane Tecic, IDNR, Illinois Coastal Management Program

This recommendation regarding the issuance/denial of the US Army Corps of Engineers permit by the IDNR, Office of Realty and Environmental Planning does not preclude permit decisions made by the IDNR, Office of Water Resources under the Illinois Rivers, Lakes, and Streams Act.